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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/903,583	07/13/2001	Kazuhiro Esaki	2001_1005A	9607
513	7590	07/29/2004	EXAMINER	
WENDEROTH, LIND & PONACK, L.L.P. 2033 K STREET N. W. SUITE 800 WASHINGTON, DC 20006-1021			NGUYEN BA, PAUL H	
			ART UNIT	PAPER NUMBER
			2176	

DATE MAILED: 07/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/903,583

**Applicant(s)**

ESAKI ET AL.

**Examiner**

Paul Nguyen-Ba

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Notice to Applicant*

1. This action is responsive to Claim of Priority under 35 USC 119 filed on September 26, 2002.
2. Claims 1-7 have been considered. Claims 1, 4, and 7 are independent claims.

### *Priority*

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujieda et al. ("Fujieda"), U.S. Patent No. 6,557,002, in view of UBIC – Universal Binary Identity Code ("UBIC"), available at <http://www.media.mit.edu/pia/Research/SWAT/ubic.html> (search criteria: date before July 14, 2000 via HotBot search engine available at [www.hotbot.com](http://www.hotbot.com)).

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### **Independent Claim 1**

Fujieda teaches a method of *managing of products each having a plurality of parts* (see Abstract), comprising the steps of:

*creating an original structural tree* (see Figs. 6 and 9; col. 5, lines 22-26 → i.e. “parts structure tree”) *of a product which defines a relationship between the product and its parts* (see Abstract and col. 5, lines 27-35 → “matrix parts list” works in cooperation with the “parts structure tree” to output a relationships between products and its parts);

*assigning part numbers to the product and parts, the same part number being assigned to products and parts having the same structure* (see Figs. 4-6; col. 6, lines 35-65; col. 7, lines 20-31 → *compare with* “product names” and “element names”);

*entering the numbers in the structural tree* (see col. 5, lines 44-49 → “parts registration function” receives input information required for adding new products);

*storing the resultant structural tree in a database connected to a computer* (see Fig. 1 and col. 5, lines 16-21).

Fujieda does not specifically teach *assigning unique serial numbers to the product and at least major parts thereof*.

However, UBIC teaches assigning unique serial numbers to products or parts with the same structures (see Figure and paragraph 2) for the purpose of assigning a unique label or name to every object, similar to how people have names.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the teaching of Fujieda with the teachings of UBIC to include

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assigning unique serial numbers to products or parts with the same structures for the purpose of assigning a unique label or name to every object, similar to how people have names.

Fujieda does not specifically teach *marking the serial numbers on the product and parts assigned therewith*. However, Fujieda teaches a parts structural drawing (col. 5, lines 36-44) for the purpose of allowing assembly of the products and parts.

It was commonly known to those of ordinary skill in the art to mark the serial numbers on the product and parts assigned for the purpose of assigning a unique label or name to every object, similar to how people have names and allowing assembly of the marked products and parts.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to mark the serial numbers on the product and parts assigned for the purpose of assigning a unique label or name to every object, similar to how people have names and allowing easy assembly of the marked products and parts.

## **Claim 2**

Fujieda further teaches a method of linking attributes to product and part numbers; and storing the attributes in the database (see col. 12, lines 20-28, 51-55), but does not specifically teach linking attributes to serial numbers and storing the serial number attributes in the database.

However, UBIC teaches assigning unique serial numbers to products or parts with the same structures, in addition to model numbers (*compare with* “part numbers”) (see Figure and paragraph 2) for the purpose of assigning a unique label or name to every object and providing attribute information about each unique object.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the teaching of Fujieda with the teachings of UBIC to substitute linking attributes to part numbers with linking attributes to serial numbers for the purpose of assigning a unique label or name to every object and providing attribute information about each unique object.

### **Claim 3**

Fujieda teaches a method of managing of products each having a plurality of parts with respect to independent claim 1, but does not specifically teach a method of *linking histories...to the serial numbers*; and *storing the histories...in the database*.

However, Fujieda, in view of UBIC, teaches a method of linking attributes to serial numbers; and storing the attributes in the database (see claim 2 discussed above). It was commonly known to those of ordinary skill in the art that incorporated into product and part attribute profiles may also include product and part histories for the purpose of quick query search and reference within a database containing product and part information.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to incorporate into the product and part attribute profiles, product and part histories for the purpose of quick query search and reference within a database containing product and part information.

### **Independent Claim 4**

With respect to independent claim 4, refer to the rationale relied upon to reject independent claim 1. Furthermore, Fujieda teaches retrieving and analyzing part and product number structural tree information via a database control function by using the product/part

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numbers (see Fig. 1 and col. 5, lines 16-21) or, in view on UBIC (as discussed above), a serial number can be used as well.

**Claim 5**

System claim incorporates substantially similar subject matter as claim 2, and is rejected along the same rationale.

**Claim 6**

System claim incorporates substantially similar subject matter as claim 3, and is rejected along the same rationale.

**Independent Claim 7**

Independent claim 7 incorporates substantially similar subject matter as independent claim 1, and is rejected along the same rationale.

***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Nguyen-Ba whose telephone number is (703) 305-8776. The examiner can normally be reached from 10:30 am - 7:00 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (703) 305-9792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PNB



**JOSEPH FEILD**  
**SUPERVISORY PATENT EXAMINER**